Powers and duties of the Traffic Superintendents of Police.

64. MR. S. KRISHNA PILLAI (*Karunagapalli*): With reference to the notification, defining the duties and powers of the Traffic Superintendent, published at page 88 of the *Gazette*, dated the 14th Edavam 1107, will the Government be pleased to state:

(*a*) whether the rules have been approved by Government, as laid down by Section 12 of the Police Regulation;

(*b*) whether Mr. A. R. Subrahmanya Aiyar has been allowed to approve such rules finally on behalf of Government, and, if so, under what G. O.;

(*c*) whether there is any meaning in describing it as a true copy; and

(*d*) whether publication of rules which require Government approval is valid without the superscription of the Chief Secretary to Government?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) They are not rules issued under any Regulation; they are administrative orders of Government. These orders (published in the *Gazette*, dated the 11th Edavam 1107, at page 92 of the Police Sheet) have been approved by Government, but not under Section 12 of the Police Regulation, which has no application to the same.

(*b*) The answer to the first part is in the negative. The second part does not, therefore, arise.

(*c*) Yes. It means a "true copy" of the orders approved by Government.

(*d*) When the publication of rules in the *Gazette* is required by any statute, such publication is being done over the signature of the Chief Secretary to Government "by order." The orders referred to in the interpellation are only departmental orders which do not require publication in the *Gazette*.

MR. S. KRISHNA PILLAI (*Karunagapalli*): In regard to the notification mentioned in the question, is the notification published under any provision of law?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is it obligatory on the part of Government to allow the publication of this rule in the *Government Gazette*?

MR. K. GEORGE (*Chief Secretary to Government*): It is not obligatory.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is the object with which the rule I mentioned in my question has been published in the *Government Gazette*? Is it for the information of the public in general or for the information of the officer or officers concerned?

MR. K. GEORGE (*Chief Secretary to Government*): Whoever reads the *Gazette* will get the information.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What I want to know is whether rules passed for regulating departmental affairs are ordinarily published in the *Government Gazette*, and if that is so done, whether the publication is intended for the benefit of the public or for the benefit of the officers of the Department ?

MR. K. GEORGE (*Chief Secretary to Government*) : I think in this case the public also should know it.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is there any rule in which the public would not be interested if that be the view taken by the member ?

MR. K. GEORGE (*Chief Secretary to Government*) : There are many things in which the public would not be interested. Certainly, in the internal affairs of the Department, the public would not be interested.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : What is the special importance of this rule in reference to the other rules relating to the internal affairs of the Department ?

MR. K. GEORGE (*Chief Secretary to Government*) : This rule deals with traffic in which the public are interested.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : The rules do not deal with traffic. The rules relate to the powers of the Superintendent and the Asssistant Superintendents.

MR. K. GEORGE (*Chief Secretary to Government*) : The public are interested in knowing who are the officers in charge of traffic work, to whom applications should be made and all that.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is the Police Commissioner, of himself, without the approval or sanction of Government, empowered to frame rules under the Police Regulation ?

MR. K. GEORGE (*Chief Secretary to Government*) : There is no question of Police Regulation here.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Then under what Regulation are these rules framed ?

MR. K. GEORGE (*Chief Secretary to Government*) : No Regulation at all.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Does the notification published assign duties to certain officers in regard to matters concerning the administration of the Police Department ?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes, that can be done. Just as Government can delegate any powers to any subordinate, this is done.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Is the member aware that there is rule 21 framed under the Police Regulation which enables the Commissioner of Police to frame rules for such purposes with the approval of Government and that he cannot do without such approval ?

MR. K. GEORGE (*Chief Secretary to Government*) : I admit that there may be such a provision in the Police Regulation.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : May I know whether there *is* such a provision ?

MR. K. GEORGE (*Chief Secretary to Government*) : I must look up. I have not looked up that rule.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. S. KRISHNA PILLAI (*Karunagapalli*): For the information of the member, I may say that the figure "12" is inverted; it ought to be "21".

MR. K. GEORGE (*Chief Secretary to Government*): If the rules for the regulation of traffic are made under statutory law, they have to be issued under the Motor Vehicles Regulation and not under the Police Regulation.

MR. S. KRISHNA PILLAI (*Karunagapalli*): This has nothing to do with the Motor Vehicles Regulation. Is not the member satisfied that the gist of the rule published there relates to the powers of the Police in regard to the control or direction of traffic?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say that they are exactly rules under the Regulation. They are administrative orders of Government delegating certain functions to the Traffic Superintendent.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If they are administrative orders of Government, may I know who is the authority that is enabled under the Standing Orders to publish those rules?

MR. K. GEORGE (*Chief Secretary to Government*): Administrative orders can be published by the Police Commissioner himself when he gets the orders.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Under what law?

MR. K. GEORGE (*Chief Secretary to Government*): No law.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member aware that, under Section 21, even for administrative orders in regard to the assignment of duties to Police Officers, the Police Commissioner has got power to frame rules subject to the approval of Government?

MR. K. GEORGE (*Chief Secretary to Government*): Anyhow, there has been the approval of Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*): When a rule published in the *Government Gazette* requires the approval of Government, is an Assistant Secretary to Government empowered to subscribe his name to it and indicate thereby that the rule has got the approval of Government?

MR. K. GEORGE (*Chief Secretary to Government*): In this case, he signed only a true copy and that fact is omitted in the *Gazette*.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the notification show that the rules published there have ever been approved by Government?

MR. K. GEORGE (*Chief Secretary to Government*): The notification would have been better issued with a preamble showing that the rules are issued with the approval of Government.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If that be so, then under whose signature or name would such notification be published hereafter in order that the public may not be embarrassed?

MR. K. GEORGE (*Chief Secretary to Government*): If they are to be issued by the Government, they would be published under the signature of the Chief Secretary to Government.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. S. KRISHNA PILLAI (*Karunagapalli*): So, is the member convinced that the public understand that those rules have not received the approval of Government?

MR. K. GEORGE (*Chief Secretary to Government*): As I said, it would have been better if there were a preamble showing that the rules have received the approval of Government. If Government issue a notification themselves that will come in Part I of the *Gazette*.

Teaching of Tamil as an optional subject in the Arts College.

65. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) why permission is not yet given for teaching Tamil as an optional subject in His Highness the Maha Raja's College of Arts; and

(*b*) whether there was any representation from the public or a requisition from the Principal of the Arts College, for permission to teach Tamil as an optional subject in the said College?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The necessity has not been keenly felt, and the times are not propitious to consider such proposals involving additional expenditure.

(*b*) There was a representation on the matter at the 27th session of the Sri Mulam Popular Assembly by Mr. A. S. Veerabahu Pillai. The Principal also was in favour of the idea.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): With reference to part (*b*) of the question, may I know whether Government are aware of the fact that every year more than 50 Tamil students belonging to Shencotta, Tovala and other places go to the St. Joseph's College at Trichinopoly and the Colleges at Madras?

MR. K. GEORGE (*Chief Secretary to Government*): Government are not aware.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): May I know whether there was any representation in the Sri Mulam Popular Assembly?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, there was. I think it is stated in the answer.

Teaching of Tamil in the Arts College.

66. **MR. K. NARAYANAPERUMAL NADAR** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether there was a proposal for teaching Tamil as an optional subject in the Arts College; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken by the Government thereon?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Mr. A. S. Veerabahu Pillai, member at the 27th session of the Sri Mulam Popular Assembly, represented, among other matters, the necessity for the introduction of Tamil as an optional group for the B. A. course in the College of Arts, Trivandrum.

(*b*) As the necessity has not been keenly felt and as the proposal, which involved additional expenditure, could not be considered on account of financial stringency, the question has been dropped for the present.

LIBRARY ARCHIVES Kerala Legislative Assembly